UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

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|---|---|
| MELYSSA PRIESTER, | ) |
| | ) |
|    Plaintiff, | ) |
| | ) |
|    vs. | ) Case No. 1:24-cv-00020 PLC |
| | ) |
| MARTIN O'MALLEY, | ) |
| Commissioner of Social Security | ) |
| Administration, | ) |
| | ) |
|    Defendant. | ) |

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff Melyssa Priester's application for attorney fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412.  [ECF No. 16] Plaintiff requests an award of $5,285.90, representing 21.10 of attorney work at an hourly rate of $245.00 and $251.00.  Plaintiff attaches an itemized invoice, an affidavit of counsel, and Plaintiff's affidavit in which she assigns any court-awarded fee to her attorneys, The Parmele Law Firm, P.C. [ECF Nos. 16-1 through 16-4]

Defendant filed a response to Plaintiff's application for attorney fees, in which he states: "Defendant has no objection to Plaintiff's request for attorney fees under the EAJA in the amount of $5,285.90."  [ECF No. 17] Defendant requests that the Court "enter an order specifically awarding attorney fees of $5,285.90 to be paid by the Social Security Administration."  He notes, however, that any award of attorney fees is subject to offset to satisfy any preexisting debt Plaintiff owes to the United States.  See Astrue v. Ratliff, 560 U.S. 586 (2010).

After careful consideration,

**IT IS HEREBY ORDERED** that Plaintiff's application for award of attorney fees [ECF

No. 16] is **GRANTED**.

 **IT IS FURTHER ORDERED** that Plaintiff is awarded EAJA attorney fees in the amount of $5,285.90, subject to offset for any preexisting debt that Plaintiff owes to the United States.  After determining whether Plaintiff owes any debt to the United States that is subject to offset, Defendant is directed to pay the EAJA fees directly to Plaintiff's attorney.

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PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE

Dated this 20th day of November, 2024